REMARKS

Claims 1-2, 5-7, 10-12, and 15 stand rejected under 35 U.S.C. 103(b) as being anticipated by Shinohara et al. (U.S. 5,724,204), and claims 3-4, 8-9, and 13-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Shinohara in view of Serrano et al. (U.S. 6,049,438). Because dependent claims 3, 8, and 13 have been cancelled without prejudice, and the respective subject matter from these claims incorporated into independent claims 1, 6, and 11, these two rejections will be addressed together with respect to newly amended independent claims 1, 6, and 11. Applicant therefore traverses the rejection of the independent claims because neither of the two cited references, whether taken alone or in combination, discloses or suggests either a step of selecting a track number as a demodulation position (claim 1), or a calculation step that utilizes a gain compensated moving speed in a correction value (claims 1, 6, and 11).

Shinohara discloses a head positioning control method that includes a demodulation of a position signal, a calculation of the demodulation position, a calculation of the control quantity according to a position error between the demodulation position and a target position, and a detection of the moving speed and correction of PosN and PosQ. (See col. 6, lines 55-63; Fig. 6). Shinohara fails to teach or suggest, however, that the correction of PosN and PosQ is based on a compensated moving speed with a gain according to recording positions of the offset information in the position signal of the disk. Shinohara merely calculates the moving speed of the head by dividing one track pitch by the position crossing period relative to the reference level R. Shinohara teaches or suggests nothing

regarding the utilization of a gain compensating moving speed, as now more clearly recited in independent claims 1, 6, and 11.

The combination of Serrano with Shinohara therefore, also fails to teach or suggest these amended features of the independent claims. Serrano is cited only for the disclosure of utilizing the track number for demodulation position information, but not for anything regarding the utilization of a gain compensated moving speed. In contrast, independent claims 1, 6, and 11 now more clearly recite that PosN and PosQ are corrected, and that the correction value is obtained by compensated moving speed with a gain according to recording positions of the offset information. Support for these amendments may be found, for example, at at least page 23, line 27 to page 25, line 3 of the present Specification. Because neither Shinohara nor Serrano teach or suggest such features, the rejection based on the combination of these two references is respectfully traversed.

Claims 1-15 stand rejected under 35 U.S.C. 102(b) as being anticipated by Takaishi et al. (U.S. 5,731,973). Applicant respectfully traverses this rejection for the reasons of record, and in light of the amendments to the independent claims discussed above. Takaishi is silent regarding the selection step as part of a demodulation step (claim 1), and silent as to the utilization of a gain compensated moving speed (claims 1, 6, and 11).

Takaishi discloses a correction of PosN and PosQ with a *fixed* correction value that is determined by a measured position sensitivity with speed error between a measured real speed and a target speed. This earlier method by the same inventor is not the same as the new method presented in the present Application that utilizes a dynamically obtained

correction value that depends on the moving speed. Nevertheless, in the interests of expediting prosecution, Applicant further submits that the amendments to the independent claims herein, and discussed above, are sufficient by themselves to overcome this rejection as well. Accordingly, reconsideration and withdrawal of the Section 102 rejection based on Takaishi is also respectfully requested.

For all of the foregoing reasons, Applicant submits that this Application, including claims 1-2, 4-7, 9-12, and 14-15, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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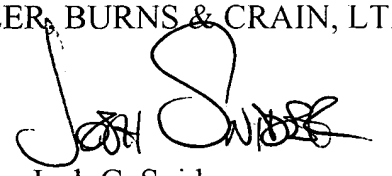
By 

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